

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

GREAT DANE LIMITED
PARTNERSHIP,

Plaintiff,

v.

STOUGHTON TRAILERS, LLC and
NEWCOURT, INC.,

Defendants.

*
*
*
*
*
*
*
*
*
*

Civil Action Case Number 3:08-cv-89

AMENDMENT TO COMPLAINT

The Plaintiff, Great Dane Limited Partnership ("Great Dane"), hereby amends the Complaint in this action by adding as a Defendant Newcourt, Inc., by designating the Defendant in paragraphs 2, 3, 10 and 14 of the Complaint as originally filed the "Defendant Stoughton," and as follows:

A. The following paragraphs are added following paragraph 3:

4. Newcourt is a corporation organized and existing under the laws of the State of Texas with its principal place of business at 3200 Court Street, Texarkana, Texas 75501.

5. Upon information and belief, Newcourt transacts business in the State of Georgia.

B. Paragraphs numbered 4, 5 and 6 in the original Complaint are renumbered 6, 7 and 8, and the following paragraph is added following renumbered paragraph 8:

9. Newcourt is joined as a Defendant in this action pursuant to Rule 20(a)(2). This Court has personal jurisdiction over Newcourt because Newcourt transacts business in this State and because of Newcourt's joinder in this action.

C. Paragraphs numbered 7 through 10 in the original Complaint are renumbered 10 through 13, and the following paragraphs are added following renumbered paragraph 13.

*

14. Newcourt is infringing the '018 Patent by making, using, selling, or offering for sale in the United States, products and/or services and/or components of products and/or services embodying the patented inventions claimed in the '018 Patent.

15. The Defendants are infringing the '018 Patent literally, under the doctrine of equivalents, and jointly with each other and/or other entities, by importing into the United States, and/or making, using, selling, or offering for sale products and/or services or components of products and/or services embodying the patented inventions claimed in the '018 Patent without authority.

D. Paragraphs numbered 11 through 14 in the original Complaint are renumbered 16 through 19, and the following paragraphs are added following renumbered paragraph 19.

20. Newcourt is infringing the '493 Patent by making, using, selling, or offering for sale in the United States, products and/or services embodying the patented inventions claimed in the '493 Patent.

21. The Defendants are infringing the '493 Patent literally, under the doctrine of equivalents, and jointly with each other and/or other entities, by importing into the United States,

and/or making, using, selling, or offering for sale products and/or services embodying the patented inventions claimed in the '493 Patent without authority.

E. Paragraphs numbered 15 through 18 in the original Complaint are renumbered 22 through 25 and the singular Defendant in those paragraphs is amended to the plural Defendants.

F. The singular "Defendant" is amended to the plural "Defendants" in the prayer for relief.

A Restated Complaint as herein amended is filed herewith.

This 20 day of November, 2008.

HUNTER, MACLEAN, EXLEY & DUNN, P.C.

s/John M. Tatum

John M. Tatum

Georgia State Bar Number 699000

Attorney for Plaintiff Great Dane Limited
Partnership

Post Office Box 9848
Savannah, Georgia 31412
Telephone: (912) 236-0261
Facsimile: (912) 236-4936
Email: jtatum@huntermaclean.com

Of Counsel:

R. Trevor Carter

Attorney No. 18562-49

BAKER & DANIELS LLP

300 North Meridian Street

Suite 2700

Indianapolis, IN 46204

Telephone: (317) 237-0300

Facsimile: (317) 237-1000

David P. Irmscher

Attorney No. 15026-02

BAKER & DANIELS LLP

111 East Wayne, Suite 800

Fort Wayne, Indiana 46802

Telephone: (260) 424-8000

Facsimile: (260) 460-1700